

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

## CLEARINGHOUSE RULE 96-062

### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

### 2. Form, Style and Placement in Administrative Code

a. In s. Trans 301.04, in SECTION 5, “Americans with Disabilities Act” should be “Americans with disabilities act.” In addition, the cite should be to the U.S. Code. [See, e.g., s. 340.01 (43g), Stats.]

b. The rule appropriately changes a number of occurrences of “shall not” to “may not.” This should also be done in both sentences in s. Trans 301.05 (1).

c. In s. Trans 301.05 (8), first sentence, should “in” be inserted before “the personal possession”?

d. In s. Trans 301.21 (1), “~~All~~” should precede all of the underscored material. [See s. 1.06 (1), Manual.] A similar change should be made in ss. Trans 301.22 (1) and 301.26 (1).

e. In s. Trans 301.28 (2), the provision should read: “~~Human services vehicles~~ An HSV with a GVWR of 10,000 pounds or less ~~are~~ is not required to have rub rails.”.

f. The treatment clause in SECTION 34 and “Trans 301.29 (3)” in the next line should be deleted. These are unnecessary. The SECTION 33 treatment clause takes care of all the changes in sub. (3).

g. In s. Trans 301.30 (4) (intro.), in the text, “(intro.)” should be inserted after “301.30 (4)” and “as follows” should replace “as set forth below.”

- h. In s. Trans 301.60 (1), third sentence, “found” should be deleted.
- i. In s. Trans 301.64 (1), last sentence, it appears that “and used” should be “, and that are used”.
- j. SECTION 58 repeats, in the text of the rule, the Note to s. Trans 301.04. Since the material in SECTION 58 is properly placed in the Note, SECTION 58 should be deleted.

**5. Clarity, Grammar, Punctuation and Use of Plain Language**

- a. In s. Trans 301.13, second sentence, “5 years” from what date? This should be specified.
- b. It appears that all of the commas can be deleted from the second sentence of s. Trans 301.27 (1).
- c. In s. Trans 301.62 (6), “~~Platform~~ The platform” should replace “Platform.” The department should also consider making this change in s. Trans 301.62 (5), which is not affected by this rule.